

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

DANIEL R. STANTON,)	
)	
Plaintiff)	
)	
v.)	Civil No. 96-0117-P-C
)	
CUMBERLAND COUNTY)	
COMMISSIONERS, et al.,)	
)	
Defendants)	

RECOMMENDED DECISION

Plaintiff filed this *pro se* Complaint pursuant to 42 U.S.C. § 1983. The Complaint was not accompanied by the required filing fee, nor a properly completed application to proceed *in forma pauperis*. Plaintiff was thereafter Ordered to file the application or pay the fee, failing which the matter would be dismissed. Plaintiff has complied with that Order. Regardless, the Court concludes that the Complaint fails to state a claim upon which relief can be granted, and is therefore properly dismissed. 42 U.S.C. § 1997e(c), *as amended by* Act of April 26, 1996; 28 U.S.C. § 1915(d), *as amended by* Act of April 26, 1996.

Plaintiff's Complaint sets forth no facts in support of Plaintiff's claims that he was subjected to "deliberate indifferences [sic]" and "cruel and unusual punishment." The Complaint names as Defendants the Cumberland County Commissioners, a nurse at the Cumberland County Jail and her "staff," and "John Does and Jane Does." However, it does not describe even minimally the role allegedly played by these Defendants in the violation of Plaintiff's rights.

Conclusion

Accordingly, I hereby recommend Plaintiff's Complaint be DISMISSED pursuant to 42 U.S.C. § 1997e(c) for failure to state a claim upon which relief can be granted.

NOTICE

A party may file objections to those specified portions of a magistrate judge's report or proposed findings or recommended decisions entered pursuant to 28 U.S.C. § 636(b)(1)(B) (1988) for which *de novo* review by the district court is sought, together with a supporting memorandum, within ten (10) days of being served with a copy thereof. A responsive memorandum shall be filed within ten (10) days after the filing of the objection.

Failure to file a timely objection shall constitute a waiver of the right to *de novo* review by the district court and to appeal the district court's order.

Eugene W. Beaulieu
United States Magistrate Judge

Dated in Bangor, Maine on June 17, 1996.